

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WENDY WILCE,

Plaintiff,

v.

THE PROCTOR & GAMBLE  
DISABILITY BENEFIT PLAN,

Defendant.

CIVIL ACTION No. 3:07-CV-0757

(JUDGE CAPUTO)

**MEMORANDUM ORDER**

Presently before the Court are the motions for summary judgment of Plaintiff Wendy Wilce (Doc. 11) and of Defendant The Proctor & Gamble Disability Benefit Plan ("The Plan") (Doc. 14). One of the issues presented in these motions is the appropriate level of scrutiny the Court should apply to the Plan's discretionary decision about Plaintiff's disability benefits, in light of Plaintiff's contention that that decision was made under a conflict of interest. In the time since the parties filed their briefs, the Supreme Court issued its decision in *Metropolitan Life Insurance Co. et al. v. Glenn*, — S. Ct. —, 2008 WL 2444796 (June 19, 2008), addressing similar questions.

Therefore, **NOW**, this 24<sup>th</sup> day of June, 2008, it is **HEREBY ORDERED** that the parties are permitted to submit supplemental briefs to address the applicability and impact of the *Metropolitan Life Insurance* decision to the motions before this Court. Any such briefs shall be no more than ten (10) pages in length and shall be submitted within thirty (30) days of the date of this Order.

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/s/ A. Richard Caputo

A. Richard Caputo  
United States District Judge